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Attorney for Defendant
5 ANDERSON CLAYTON ALACANTARA

6 UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

7 * * *

8 UNITED STATES OF AMERICA,)	2:17-CR-00001-JAD-CWH-4
)	
9)	
10 Plaintiff,)	
)	
11 v.)	STIPULATION AND ORDER TO
)	CONTINUE SENTENCING
12)	
13 ANDERSON CLAYTON ALCANTARA,)	
)	
14 Defendant.)	(Second Request)
15)	

16 IT IS HEREBY STIPULATED by and between ANDERSON CLAYTON
17 ALCANTARA, Defendant, by and through his counsel DUSTIN R. MARCELLO, ESQ,
18 NICHOLAS A. TRUTANICH, United States Attorney, and PATRICK BURNS, Assistant
19 United States Attorney, that Sentencing currently scheduled for July 8, 2019 at 11:00 a.m. be
20 vacated and continued to 30 days or to a time convenient with the Court.
21

22 This Stipulation is entered into for the following reasons:

- 23 1. Counsel has spoken with the Defendant and he has no objection to the continuance.
- 24 2. The parties agree to the continuance.
- 25 3. Defendant is in custody in Pahrump.
- 26
- 27
- 28

4. Counsel needs additional time to adequately prepare for sentencing with Defendant. Additionally the parties are attempting to negotiate a joint sentencing recommendation that would avoid significant litigation at sentencing.

5. Additionally, denial of this request for continuance would result in a miscarriage of justice.

6. This is the second request to continue the sentencing.

DATED this 27th day of June 2019.

Respectfully submitted.

PITARO & FUMO, CHTD. NICHOLAS TRUTANICH
UNITED STATES ATTORNEY

/s/
DUSTIN R MARCELLO, ESQ.
601 LAS VEGAS BOULEVARD, SOUTH
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ATTORNEY FOR DEFENDANT

/s/
PATRICK BURNS
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5 ANDERSON CLAYTON ALACANTARA

6 UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

7 * * *

8 UNITED STATES OF AMERICA,) **2:17-CR-00001-JAD-CWH-4**
9)
10)
Plaintiff,)
11)
v.)
12)
13 ANDERSON CLAYTON ALCANTARA,)
14)
Defendant.) (Second Request)
15)

16 FINDINGS OF FACT

17 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
18 Court finds:

19 This Stipulation is entered into for the following reasons:

- 20 1. Counsel has spoken with the Defendant and he has no objection to the continuance.
21 2. The parties agree to the continuance.
22 3. Defendant is in custody in Pahrump.
23 4. Counsel needs additional time to adequately prepare for sentencing with Defendant.

24 Additionally the parties are attempting to negotiate a joint sentencing recommendation that
25 would avoid significant litigation at sentencing.
26

27 5. Additionally, denial of this request for continuance would result in a miscarriage of
28 justice.

6. This is the second request to continue the sentencing.

CONCLUSIONS OF LAW

The end of justice served by granting said continuance outweigh the best interest of the public and defendants since the failure to grant said continuance would likely result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for sentencing taking into account the exercise of due diligence.

ORDER

IT IS ORDERED that Sentencing currently scheduled for July 8, 2019, at 11:00 a.m. be continued to August 20, 2019, at the hour of 2:00 p.m.

DATED this 3rd day of July, 2019.

U.S. DISTRICT JUDGE